HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

Writ Petition No.9105 of 2005

Dated: 21st November, 2005

Between:

Smt. Dr.Kusum Tai Dandear, W/o. Gopalrao Dandekar, Social Worker and Freedom Fighter,

R/o.Sevashram, Mancherial, Adilabad District, rep. by her own daughter and SPA, Smt. Daya Dandekar,

W/o.M.rishnanandam.

..... PETITIONER

AND

1. The District Collector, Adilabad District, at Adilabad

and others.

.....RESPONDENTS

HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

Writ Petition No. 9105 of 2005

ORDER:

This writ petition has been filed by Smt.Dr.Kusum Tai Dandekar with a prayer to issue a writ more particularly one in the nature of Mandamus declaring the letter dated 29.10.2004 bearing No.B/5443/02 issued by the office of the District Collector, Adilabad District, at Adilabad-1st respondent, as illegal and arbitrary.

2. The petitioner claims to be the owner of Ac.11.28 guntas comprising Survey No.65; Ac.17.38 guntas comprising Survey No.707; and Ac.20.01 guntas comprising Survey No.708. According to her, an extent of Ac.11.00 guntas comprising Survey No.65; Ac.13.12 guntas comprising Survey No.707; and Ac.15.15 guntas comprising Survey No.708 was donated in favour of

A.P.Acharya Kul Trust, Bhodan Yagna Board, Hyderabad, and Government Degree College, Mancherial, run by A.P. Educational Department. After donating the land, she retained Ac.0.28 guntas comprising Survey No.65; Ac.4.26 guntas comprising Survey No.707; and Ac.4.26 guntas comprising Survey No.708. The land retained by her came to be sub-divided and sub-division numbers came to be allotted as Survey Nos.65/2, 65/3, 707/2 and 708/2. She sold away Ac.0.20 guntas of land comprising Survey No.65/2 and presented the documents before the Sub-Registrar, Mancherial-2nd respondent. The Sub-Registrar did not release the documents on the ground of his receiving letter from the Mandal Revenue Officer, Mancherial, not to accept any registered sale deeds in respect of Survey Nos.65, 707 and 708. Assailing the action of the respondents 1 and 2, she filed this writ petition.

3. Heard learned counsel for the petitioner and learned Government Pleader for Revenue appearing for the respondents 1 and 2.

4. Learned counsel appearing for the petitioner submits that the petitioner on coming to know about the memo. in Rc.No.RK/2/2005, dated 05.02.2005, issued by the Divisional Administrative Officer, RDO's Office, Mancherial, submitted a representation to the Mandal Revenue Officer, Mancherial, Adilabad District, and to the Sub-Registrar, Mancherial, Adilabad District-2nd respondent, detailing the total extent of lands comprising Survey Nos.65, 707 and 708 and the extent of land retained by her after donating the lands to A.P.Acharya Kul Trust, Bhodan Yagna Board, Hyderabad, and Government Degree College, Mancherial, run by A.P. Educational Department. The said representation has been placed on record. The petitioner has submitted elaborate explanation as to how she acquired rights over the lands manned by her. It is for the Mandal Revenue Officer, Mancherial, to examine her explanation and to consider whether to withdraw the letter addressed by him to the Sub-Registrar, Mancherial, or not.

5. In that view of the matter, I deem it appropriate to direct the District Collector, Adilabad-1st respondent to issue necessary instructions to the

Mandal Revenue Officer, Mancherial, Adilabad District, to consider the representation dated 16.02.2005 submitted by the petitioner and pass appropriate orders within six weeks. In case, the petitioner is found to be the owner of the lands claimed by her, the Mandal Revenue Officer, Mancherial, has to withdraw the letter dated 29.10.2004 addressed to the Sub-Registrar, Mancherial, Adilabad District-2nd respondent.

6. Accordingly, the writ petition is disposed of. No costs.

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B.SESHASAYANA REDDY, J.

Dated: 21st November, 2005.

Note:

1) Issue C.C. within a week.

2) Mark C.C. to the Mandal Revenue Officer, Mancherial, Adilabad District.

B/O

cs